



2019 SENATE BILL 733

January 29, 2020 - Introduced by Senators TIFFANY, MILLER, CARPENTER, FEYEN, HANSEN, SCHACHTNER, L. TAYLOR, LARSON and BEWLEY, cosponsored by Representatives EDMING, SINICKI, KULP, ROHRKASTE, CROWLEY, HEBL, STUBBS, C. TAYLOR, VANDERMEER and SUBECK. Referred to Committee on Health and Human Services.

1 **AN ACT relating to:** community-based services grant program and making an
2 appropriation.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Health Services to establish for the 2019-21 fiscal biennium a community-based services grant program to distribute awards to provider organizations offering facility-based prevocational and day services who apply to initiate or increase and sustain their provision of community-based services that create pathways to and increase competitive integrated employment for people with disabilities. Under the bill, DHS must award grants to providers who apply, develop a plan, and reach benchmarks they set that are approved by DHS, providing grants to up to 30 providers that submit a proposal to initiate or increase and sustain the organization's community-based employment or community-based day services. DHS must give preference in awarding grant funds to providers with the most aggressive and achievable benchmarks for increasing competitive integrated employment and meaningful community involvement for people with disabilities. The bill also requires DHS to distribute performance-based awards to providers that achieve specific employment or community-based day outcomes for individuals with intellectual or developmental disabilities.

Under the bill, DHS must also distribute awards for subject matter experts, including those with experience in Wisconsin's long-term care system, to assist grant recipients with initiating or increasing and sustaining their provision of community-based services consistent with the grant requirements and to assist with

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necessary changes in business management practices to ensure financial viability in the provision of community-based services. Finally, the bill allows DHS to transfer the funds specified for the grants between fiscal years such that they can expend the funds until they are gone, even beyond the 2019-21 fiscal biennium.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1. Nonstatutory provisions.**

2 (1) COMMUNITY-BASED SERVICES GRANT PROGRAM.

3 (a) In the 2019-21 fiscal biennium, the department shall establish a grant
4 program to award grants in a total amount not to exceed \$5,250,000 to provider
5 organizations offering facility-based prevocational and day services who choose to
6 apply to initiate or increase and sustain their provision of community-based services
7 that create pathways to and increase competitive integrated employment for people
8 with disabilities. The department shall also award no more than \$1,500,000 to
9 subject matter experts, including those with experience in Wisconsin's long-term
10 care system, who apply to help grant recipients under subd. 1. Providers may apply
11 for a grant to participate in strategic planning and technical assistance activities in
12 order to initiate or increase and sustain their community-based employment or
13 community-based day services. In distributing the grants under this section, the
14 department shall do all of the following:

15 1. Award on a competitive basis a total of \$3,000,000 to providers who choose
16 to apply, develop a plan, and reach benchmarks they set and that are approved by
17 the department, providing grants for up to 30 service providers that submit a
18 proposal of the organization's plan to initiate or increase and sustain the
19 organization's community-based employment or community-based day services.

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1 The department shall distribute awards of at least \$25,000 per recipient up to a
2 maximum of \$150,000 per recipient. Providers may apply for grants that can be
3 implemented over a 24-month period. The department shall give preference in
4 awarding grant funds to providers with the most aggressive and achievable
5 benchmarks for increasing competitive integrated employment and meaningful
6 community involvement for people with disabilities.

7 2. Distribute \$2,250,000 in performance-based awards to providers that
8 achieve specific employment or community-based day outcomes for individuals with
9 intellectual or developmental disabilities. The department will award under this
10 paragraph performance-based payments established in consultation with subject
11 matter experts with experience in Wisconsin's long-term care system to selected
12 providers that achieve outcomes that the provider identifies and meets that increase
13 community-based services agency-wide over 2 years. A provider may be eligible for
14 an award under this subdivision regardless of whether the provider is a grant
15 recipient under subd. 1. The department shall give preference in awarding grant
16 funds to providers with more aggressive and successful competitive integrated
17 employment outcomes.

18 3. Distribute \$1,500,000 through a competitive solicitation for subject matter
19 experts, including those with experience in Wisconsin's long-term care system, to
20 provide guidance, consultation, training, and technical assistance to help grant
21 recipients under subd. 1. initiate or increase and sustain their provision of
22 community-based services consistent with the provider's activities under subd. 7.
23 and assist with necessary changes in business management practices to ensure
24 financial viability in the provision of community-based services.

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1 4. Establish criteria for approving and distributing grants under subds. 1. and
2 3. and establish criteria, including identifying benchmark outcomes established in
3 consultation with subject matter experts with experience in Wisconsin's long-term
4 care system, for approving and distributing grants under subd. 2.

5 5. Review service provider applications at least every 6 months or until all
6 available grant moneys have been awarded.

7 6. Require each applicant for a grant under subd. 1. to do all of the following
8 and submit information regarding each aspect with the provider's grant application,
9 along with any other information required by the department:

10 a. Develop a workplan and budget with target numbers of program
11 participants.

12 b. Outline plans to equip staff and increase capacity.

13 c. Identify plans to educate on community-based service options, communicate
14 programmatic changes to program participants and their families, and facilitate
15 changes to individualized plans.

16 d. Identify plans to reallocate and restructure resources to support increased
17 individualized community participation by program participants.

18 e. Commit to increasing and sustaining community-based, integrated
19 employment or day services.

20 7. Require recipients of a grant under this subsection to do all of the following:

21 a. Implement plans and adhere to commitments made as part of the provider's
22 grant application under subd. 6.

23 b. Participate in required technical assistance activities.

24 c. Set and report on quarterly benchmarks to be achieved over the grant period.

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1 d. Report outcomes to the department within 30 days of the end of the
2 24-month project.

3 e. Implement strategies to address transportation barriers or develop
4 individualized transportation solutions that can be sustained after the grant period.

5 (b) Nothing in this subsection shall be construed to limit access to or choice of
6 allowable services, including prevocational services provided in accordance with 42
7 CFR parts 440 and 441, in the family care program under ss. 46.2805 to 46.2895, the
8 Family Care Partnership program, and the self-directed services option, as defined
9 in s. 46.2899 (1).

10 **SECTION 2. Fiscal changes.**

11 (1) COMMUNITY-BASED SERVICES GRANTS. In the schedule under s. 20.005 (3) for
12 the appropriation to the department of health services under s. 20.435 (4) (b), the
13 dollar amount for fiscal year 2019-20 is increased by \$6,750,000 to award grants
14 under SECTION 1 (1) of this act. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the
15 department of health services may transfer between fiscal years funds under this
16 subsection for the purposes specified in this subsection.

17 (END)